

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Mar 21, 2023

SEAN F. MCAVOY, CLERK

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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

MICHAEL AVILEZ ESPINOZA
(a/k/a "Sebastin Godina"),

Defendant.

2:23-CR-30-RMP

INDICTMENT

18 U.S.C. § 2422(b)
Online Enticement
(Counts 1 and 3)

18 U.S.C. § 2251(a), (e)
Production of Child Pornography
(Counts 2 and 4)

18 U.S.C. §2252A(a)(2)(A), (b)(1)
Distribution of Child Pornography
(Counts 5 and 6)

18 U.S.C. § 2428, 18 U.S.C. § 2253
Forfeiture Allegations

The Grand Jury charges:

COUNT 1

On or about July 8, 2019, in the Eastern District of Washington and
elsewhere, the Defendant, MICHAEL AVILEZ ESPINOZA (a/k/a "Sebastin
Godina"), did knowingly use a facility and means of interstate and foreign

1 commerce to persuade, induce, entice, and coerce Minor H, an individual who
2 had not attained the age of 18 years, to engage in prostitution or any sexual
3 activity for which a person can be charged with a criminal offense, including 18
4 U.S.C. § 2251(a), Production of Child Pornography, all in violation of 18 U.S.C.
5 § 2422(b).
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8 COUNT 2

9 On or about July 8, 2019, in the Eastern District of Washington, the
10 Defendant, MICHAEL AVILEZ ESPINOZA (a/k/a “Sebastin Godina”), did
11 knowingly employ, use, persuade, induce, entice, and coerce a minor child,
12 namely Minor Victim H, a minor born in 2003, to engage in sexually explicit
13 conduct, for the purpose of producing any visual depiction of such conduct, such
14 visual depiction having been produced using materials that have been mailed,
15 shipped, and transported in and affecting interstate and foreign commerce by any
16 means, including by computer, in violation of 18 U.S.C. § 2251(a), (e).
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21 COUNT 3

22 Beginning on or about November 13, 2019, and continuing through on or
23 about March 2, 2021, in the Eastern District of Washington and elsewhere, the
24 Defendant, MICHAEL AVILEZ ESPINOZA (a/k/a “Sebastin Godina”), did
25 knowingly use a facility and means of interstate and foreign commerce to
26 persuade, induce, entice, and coerce Minor S, an individual who had not attained
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1 the age of 18 years, to engage in prostitution or any sexual activity for which a
2 person can be charged with a criminal offense, including WASH. REV. CODE
3 § 9A.44.076, Rape of a Child in the Second Degree, all in violation of 18 U.S.C.
4 § 2422(b).
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7 COUNT 4

8 Between on or about November 15, 2019, and on or about December 2,
9 2019, in the Eastern District of Washington, the Defendant, MICHAEL AVILEZ
10 ESPINOZA (a/k/a “Sebastin Godina”), did knowingly employ, use, persuade,
11 induce, entice, and coerce a minor child, namely Minor Victim S, a minor born in
12 2007, to engage in sexually explicit conduct, for the purpose of producing any
13 visual depiction of such conduct, such visual depiction having been produced
14 using materials that have been mailed, shipped, and transported in and affecting
15 interstate and foreign commerce by any means, including by computer, and did
16 attempt to do the same, in violation of 18 U.S.C. § 2251(a), (e).
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21 COUNT 5

22 On or about July 8, 2019, in the Eastern District of Washington, the
23 Defendant, MICHAEL AVILEZ ESPINOZA (a/k/a “Sebastin Godina”), did
24 knowingly distribute child pornography, as defined in 18 U.S.C. § 2256(8)(A),
25 using any means and facility of interstate and foreign commerce, and in and
26 affecting interstate and foreign commerce by any means, including by computer,
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1 that had been mailed, shipped and transported in interstate and foreign commerce
2 by any means, including by computer, to wit: images depicting minor and
3 prepubescent children engaging in sexually explicit conduct, including but not
4 limited to the lascivious exhibition of the genitals and pubic area, in violation of
5 18 U.S.C. § 2252A(a)(2)(A), (b)(1).
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8 COUNT 6

9 On or about December 2, 2019, in the Eastern District of Washington, the
10 Defendant, MICHAEL AVILEZ ESPINOZA (a/k/a “Sebastin Godina”), did
11 knowingly distribute child pornography, as defined in 18 U.S.C. § 2256(8)(A),
12 using any means and facility of interstate and foreign commerce, and in and
13 affecting interstate and foreign commerce by any means, including by computer,
14 that had been mailed, shipped and transported in interstate and foreign commerce
15 by any means, including by computer, to wit: images depicting minor and
16 prepubescent children engaging in sexually explicit conduct, including but not
17 limited to the lascivious exhibition of the genitals and pubic area, in violation of
18 18 U.S.C. § 2252A(a)(2)(A), (b)(1).
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24 NOTICE OF CRIMINAL FORFEITURE ALLEGATIONS

25 The allegations contained in this Indictment are hereby realleged and
26 incorporated by reference for the purpose of alleging forfeitures.
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1 Pursuant to 18 U.S.C. § 2428, upon conviction of an offense(s) in violation
2 of 18 U.S.C. § 2422(b), as set forth in Counts 1 and 3 of this Indictment, the
3 Defendant, MICHAEL AVILEZ ESPINOZA (a/k/a “Sebastin Godina”), shall
4 forfeit to the United States of America, any property, real or personal, that was
5 used or intended to be used to commit or to facilitate the commission of the
6 offense(s) and any property, real or personal, constituting or derived from any
7 proceeds obtained, directly or indirectly, as a result of the offense(s).
8

9 If any of the property described above, as a result of any act or omission of
10 the Defendant:
11

- 12 a. cannot be located upon the exercise of due diligence;
- 13 b. has been transferred or sold to, or deposited with, a third party;
- 14 c. has been placed beyond the jurisdiction of the court;
- 15 d. has been substantially diminished in value; or
- 16 e. has been commingled with other property which cannot be divided
17 without difficulty,
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19 the United States of America shall be entitled to forfeiture of substitute property
20 pursuant to 21 U.S.C. § 853(p), as incorporated by 28 U.S.C. § 2461(c).
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22 Pursuant to 18 U.S.C. § 2253, upon conviction of an offense(s) in violation
23 of 18 U.S.C. § 2251(a), (e), and/or 18 U.S.C. § 2252A(a)(2) and/or 18 U.S.C. §
24 2252A(a)(2)(A), (b)(1), as set forth in Counts 2, and 4 - 6 of this Indictment,
25 Defendant, MICHAEL AVILEZ ESPINOZA (a/k/a “Sebastin Godina”), shall
26 forfeit to the United States of America any visual depiction described in section
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1 2251, 2251A, 2252, 2252A, 2252B, or 2260 of this chapter, or any book,
2 magazine, periodical, film, videotape, or other matter which contains any such
3 visual depiction, which was produced, transported, mailed, shipped or received in
4 violation of this chapter; any property, real or personal, constituting or traceable to
5 gross profits or other proceeds obtained from such offenses; and, any property,
6 real or personal, used or intended to be used to commit or to promote the
7 commission of such offenses, or any property traceable to such property.
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11 If any of the property described above, as a result of any act or omission of
12 the Defendant:
13

- 14 a. cannot be located upon the exercise of due diligence;
- 15 b. has been transferred or sold to, or deposited with, a third party;
- 16 c. has been placed beyond the jurisdiction of the court;
- 17 d. has been substantially diminished in value; or
- 18 e. has been commingled with other property which cannot be divided
19 without difficulty,

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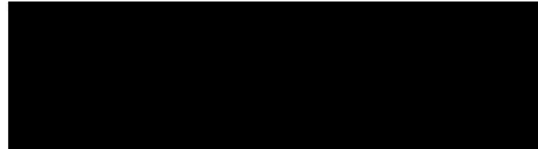
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INDICTMENT – 6

1 the United States of America shall be entitled to forfeiture of substitute property
2 pursuant to 21 U.S.C. § 853(p), as incorporated by 18 U.S.C. § 2253(b).
3

4 DATED this 21 day of March, 2023.

5 A TRUE BILL



9 *Vanessa Waldref*
10 _____

11 Vanessa R. Waldref
12 United States Attorney

13 *Ann T. Wick*
14 _____

15 Ann T. Wick
16 Assistant United States Attorney
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